THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.469 OF 2007

DATED: 12-02-2007

BETWEEN

P. Venkateswara Gupta,
S/o. P. Lakshminarayana,
Occ: Petty Trader,
R/o.11-4-19, Fort,
Hindupr, Ananthapur District
and others.

...PETITIONERS

AND

The Superintendent of Police,
Ananthapur, Ananthapur District
and another.

...RESPONDENTS

ORDER:

Petitioner submits that the second respondent without any justification whatsoever is illegally interfering with his life and liberty and making him not to attend to his daily work as he has been made to sit in the police station for hours together. He further submits that that there has been no complaint filed against him alleging commission of cognizable offence.

2. If there is any such illegal action on the part of the second respondent, it is always open for the petitioner to file a written representation before the first respondent and also file a private complaint before the concerned Magistrate for taking appropriate action; but without taking recourse under the relevant provisions of the Code of Criminal Procedure, 1973, the petitioner cannot straightway approach this Court by way of a writ petition, which

cannot be entertained.

The writ petition is accordingly dismissed. There shall be no order as to costs.

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V. ESWARAIAH, J

February 12, 2007
DSK